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Frank C. Eisenschenk

Frank C. Eisenschenk, Ph.D., Patent Attorney

INFORMATION DISCLOSURE STATEMENT

Examining Group 1651

Patent Application

Docket No. IBX-100CD1

Serial No. 10/679,663

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner : Unknown
Art Unit : 1651
Applicants : Stephen C. Johnson, Ming Luo, Shija Yan
Serial No. : 10/679,663
Filed : October 6, 2003
Conf. No. : 4065
For : Chromogenic Substrates of Sialidase of Bacterial, Viral, Protozoa and Vertebrate Origin and Methods of Making and Using the Same

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR §§1.97 AND 1.98

Sir:

In accordance with 37 CFR §1.56, the references listed on the attached form PTO/SB/08 are being brought to the attention of the examiner for consideration in connection with the examination of the above-identified patent application. Copies of the cited references are enclosed together with a copy of the Search Report for the related European application. However, Applicants have not submitted copies of U.S. patents or published U.S. Applications cited on attached Form PTO/SB/08 pursuant to 37 CFR 1.98(a)(2)(ii).

The undersigned hereby certifies that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart

foreign application not more than three months prior to the filing of this Information Disclosure Statement.

It is respectfully requested that the references cited on the attached form PTO/SB/08 be considered in the examination of the ~~subject~~ application and that their consideration be made of record.

It is also respectfully requested that the Examiner indicate consideration of the cited references by returning a copy of the attached form PTO/SB/08 with initials or other appropriate marks.

Applicants respectfully assert that the substantive provisions of 37 CFR §§1.97 and 1.98 are met by the foregoing statement.

Respectfully submitted,



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Attachments: Form PTO/SB/08; copies of references cited therein
Copy of European Search Report for related application



PTO/SB/08A (08-03)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)				Complete if Known	
				Application Number	10/679,663
				Filing Date	October 6, 2003
				First Named Inventor	Stephen C. Johnson
				Art Unit	1651
				Examiner Name	
Sheet	1	of	2	Attorney Docket Number	IBX-100CD1

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. ¹	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code ² (if known)			
	U1	US-5,663,055	9/2/1997	Oklahoma Medical Research Foundation	ALL
	U2	US-5,719,020	2/17/1998	Oklahoma Medical Research Foundation	ALL
	U3	US-			
	U4	US-			
	U5	US-			
	U6	US-			
	U7	US-			
	U8	US-			
	U9	US-			

FOREIGN PATENT DOCUMENTS						
Examiner Initials*	Cite No. ¹	Foreign Patent Document		Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Country Code ³	Number ⁴ - Kind Code ⁵ (if known)			
	F1		WO 91/09975	7/11/1991	Symex Corp.	ALL
	F2		WO 91/09972	7/11/1991	Symex Corp.	ALL
	F3		WO 91/10744	7/25/1991	Symex Corp.	ALL
	F4		WO 00/24753	5/4/2000	IBBEX, Inc.	ALL
	F5					
	F6					
	F7					

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. ¹ Applicant's unique citation designation number (optional). ² See Kind Codes of USPTO Patent Documents at www.uspto.gov or MPEP901.04. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard T.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Substitute for form 1449B/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Complete if Known			
		Application Number	10/679,663		
		Filing Date	October 6, 2003		
		First Named Inventor	Stephen C. Johnson		
		Group Art Unit	1651		
		Examiner Name			
Sheet	2	of	2	Attorney Docket Number	IBX-100CD1

NON PATENT LITERATURE DOCUMENTS			
Examiner Initials*	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article, (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T ²
	R1	Baumberger, F. <i>et al.</i> (1986) "208. 4-methylumbelliferyl 5-acetamido-3,4,5-trideoxy- α -D-manno-2-nonulopyranodisonic acid: synthesis and resistance to bacterial sialidases" <i>Helvetica Chimica Acta</i> 69:1297-1935.	
	R2	Fujii, I. <i>et al.</i> (1993) "X-Neu5Ac: A novel substrate for chromogenic assay of neuraminidase activity in bacterial expression systems" <i>Bioorganic & Medicinal Chemistry</i> 1(2):147-149.	
	R3	Liav, A. <i>et al.</i> (1999) "Synthesis of bromoindolyl 4,7-di-O-methyl-Neu5Ac: Specificity toward influenza A and B viruses" <i>Carbohydrate Res.</i> 317:198-203.	
	R4	Tuppy, H. and P. Palese (1969) "A chromogenic substrate for the investigation of neuraminidases" <i>FEBS Lett.</i> 3(1):72-75.	
	R5	Zbiral, E. <i>et al.</i> (1989) "Synthesis of the 4-methylumbelliferyl 2 α -glycosides of 7-Epi, 8-Epi, and 7,8-Bis(epi)-N-acetylneuraminic acids, as well as of 7-deoxy-, 8-deoxy-, 9-deoxy-, and 4,7-dideoxy-N-acetylneuraminic acids and their behaviour towards sialidase from <i>Vibrio cholerae</i> " <i>Liebigs Ann. Chem.</i> , pages 519-526.	
	R6	Copy of EPO Search Report for EPO Application No. EP 00975221.	
	R7		
	R8		
	R9		
	R10		
	R11		
	R12		
	R13		

Examiner Signature		Date Considered	
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¹ Applicant's unique citation designation number (optional). ² Applicant is to place a check mark here if English language Translation is attached.

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